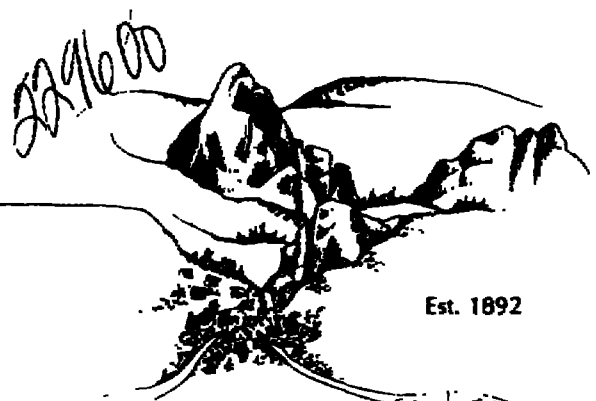


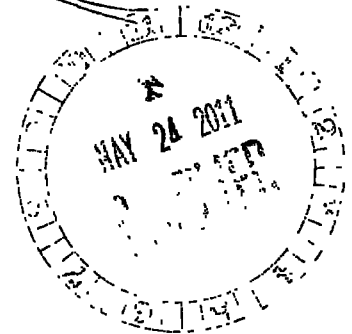
City of Creede

A Colorado Town

P.O. Box 457
Creede, CO 81130
(719) 658-2276
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Est. 1892



May 20, 2011

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, DC 20024

MAY 24 2011

Re: Denver & Rio Grande Ry. Historical Foundation-
Adverse Abandonment - In Mineral County, CO, STB Docket No. AB-1014

Dear Ms. Brown:

This letter is notice, pursuant to 49 CFR § 1152.24(f), that the abandonment authority in the above docket has been consummated.

The City of Creede, CO filed an adverse abandonment application in 2007 for a one-mile segment of rail line within the city limits, which was owned by the Denver & Rio Grande Railway Historical Foundation ("D&RGHF"). This one mile segment was the end of an 18-mile branch line, the Creede Branch, which the D&RGHF had obtained through an offer of financial assistance in 1999. At that time, the Branch had been out of service for more than 25 years.

The Board granted the City's application for adverse abandonment in a decision served May 23, 2008 in the above docket.

Previously, the City had asked for waiver for some of the requirements for an abandonment application. The Board, in a decision served October 18, 2007, granted some and denied some of the City's requests. As relevant to this letter, the Board did not waive the requirement of 49 CFR § 1152.24(f) that the Board be notified when the abandonment was consummated. The Board, however, waived the requirement in 49 CFR § 1152.29(e)(2), that this notification be submitted within one year of the grant of abandonment authority, since the City did not control when the abandonment would be accomplished.

The D&RGHF has gradually been taking up the track in the city limits over the past few years. As of this May, nearly 90 percent of the track has been taken up. Public street- railroad crossings have been paved over. A new city parking lot and an expanded grocery store have been built on the former railroad right- of -way where track has been taken up.

While a few feet of track remains, some of which may never be salvaged, it is not clear when the D&RGHF will take up whatever else it intends to salvage. It is safe to say now though that, as a practical matter, the abandonment authority in STB Docket No. AB-1014 has been fully consummated.

Sincerely yours,

Clayton Dooley
City Manager

Colorado Public Utilities Commission
Donald Shank, Pres., D&RGHF